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9 Attorneys for Plaintiff  
10 MONTE RUSSELL

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 MONTE RUSSELL, on behalf of  
14 himself and others similarly situated,  
15 Plaintiff,

16 v.

17 WELLS FARGO & COMPANY,  
18 Defendant.

CASE NO. C 07-03993 CW

HONORABLE CLAUDIA WILKEN

COURTROOM 2, 4<sup>th</sup> Floor

**STIPULATION FOR EXTENSION  
OF TIME TO FILE ANSWER OF  
DEFENDANT WELLS FARGO &  
COMPANY**

1 THIS STIPULATION AND AGREEMENT is made and entered into by and  
2 between Plaintiff and Defendant, Wells Fargo & Company, and applies to the lawsuit  
3 captioned *Russell v. Wells Fargo & Company*, No. C 07 3993 CW (N.D. Cal.).

4 1. Plaintiff filed this action on August 2, 2007, asserting claims pursuant to  
5 29 U.S.C. § 216(b) of the Fair Labor Standards Act ("FLSA").

6 2. According to proofs of service of summons, Plaintiff claims to have  
7 served Defendant Wells Fargo & Company by personal service on August 6, 2007.

8 3. Absent an extension and assuming proper service, Defendant would have  
9 until August 27, 2007 to respond.

10 4. The parties have conferred, and Defendant seeks a twenty-one (21) day  
11 extension of time to answer Plaintiff's complaint.

12 5. Plaintiff does not oppose the extension of time to answer the complaint,  
13 so long as the extension does not prejudice the rights of Plaintiff, and others similarly  
14 situated.

15 6. There have been no previous extensions of time approved by or requested  
16 by this Court.

17 7. By entering into this stipulation, neither Plaintiff nor Defendant waive  
18 any procedural or substantive rights they would otherwise have.

19 8. This extension shall not extend or affect any existing deadlines set forth  
20 in this Court's Order Setting Initial Case Management Conference and ADR Deadlines,  
21 nor any other deadlines under the Federal Rules of Civil Procedure or the Local Rules  
22 for the Northern District of California.

23 9. Plaintiff, by and through his attorneys of record, and Defendant Wells  
24 Fargo & Company, by and through its attorneys, hereby stipulate to extend Defendant's  
25 time to answer an additional twenty-one (21) days. Defendant's answer date is,  
26 therefore, September 17<sup>th</sup>, 2007.

1 DATED: August 15, 2007

AUDET & PARTNERS, LLP

2  
3  
4 By: 

ADEL A. NADJI

5 William M. Audet  
6 Adel A. Nadji  
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*Attorneys for Plaintiff*

13  
14 DATED: August \_\_, 2007

WELLS FARGO & COMPANY  
LEGAL DEPARTMENT

15  
16  
17 By: \_\_\_\_\_

TIMOTHY N. GRUBB

18  
19 Timothy N. Grubb, Employment Counsel  
20 Wells Fargo Law Department  
21 333 South Grand Avenue, Suite 1040  
22 Los Angeles, California 90071  
23 MAC E2064-106  
24 Telephone: (213) 253-7121  
25 Facsimile: (213) 617-8340

*Attorney for Defendant*

1 DATED: August \_\_, 2007

AUDET & PARTNERS, LLP

2  
3  
4 By: \_\_\_\_\_

ADEL A. NADJI

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*Attorneys for Plaintiff*

13  
14 DATED: August 15, 2007

WELLS FARGO & COMPANY  
LEGAL DEPARTMENT

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*Attorney for Defendant*

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28 24236\_1

- 3 -

STIPULATION FOR EXTENSION OF TIME TO FILE ANSWER

**PROOF OF SERVICE**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

I am employed in the County of San Francisco, State of California; my business address is 221 Main Street, Suite 1460, San Francisco, California 94105. I am over the age of 18 and not a party to the within action. On this date I served the following documents:

**STIPULATION FOR EXTENSION OF TIME TO FILE ANSWER OF DEFENDANT  
WELLS FARGO & COMPANY**

on the parties shown below:

Timothy N. Grubb, Employment Counsel  
Wells Fargo Law Department  
333 South Grand Avenue, Suite 1040  
Los Angeles, California 90071  
Telephone: (213) 253-7121  
Facsimile: (213) 617-8340  
Timothy.N.Grubb@wellsfargo.com

☒ (BY FAX) I am readily familiar with the firm's practice of facsimile transmission; on this date the above-referenced documents were transmitted, the transmission was reported as complete and without error and the report was properly issued.

☒ (BY ELECTRONIC FILING) On this date I provided the documents(s) listed above electronically through the Court's electronic filing service provider pursuant to the instructions on that website.

☐ (BY E-MAIL) On this date, the above-referenced documents were converted to electronic files and e-mailed to the addresses shown.

☐ (BY PERSONAL SERVICE) I caused the above documents to be delivered by hand pursuant to CCP § 1011.

☒ Federal: I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

☒ State: I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on this 15<sup>th</sup> day of August, 2007 at San Francisco, California.

